



## Government of Jammu & Kashmir

Directorate of School Education Kashmir

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**Subject:** CPSW No. 99000/2016 C/W CPSW No. 117/2016 Titled Robkar Vs Shaleen Kabra and CCPS No. 441/2021 Titled Khalid Hamid Wani vs B.K Singh and Ors and issuance of Appointment Order thereof.

**Reference:** Administrative Department's communication No. Edu-LGL0Kmr/51/2021-01 dated: 28/11/2024.

**ORDER NO:-48-DSEK OF 2025**

**DATED: 10 - 02- 2025**

**Whereas,** the Administrative Department vide communication No. Edu-I/401/2014 dated: 02/02/2015 forwarded a list of 800 candidates selected as Teachers in District Cadre Baramulla including 240 candidates under OM Category against notification No. 06 of 2013 (item No. 401) pursuant to the recommendations made by the J&K SSB Jammu vide No. SSB/Sel/Secy/2014/2955-61 dated: 19/12/2014, for issuance of provisional appointment orders; and

**Whereas,** among others Two non-selected candidates Tanveer Rasool Teli and Zahida Parveen approached to the Hon'ble High Court through two different writ petitions titled SWP No.2406/2014 titled Tanveer Rasool Teli vs State and Ors and SWP No. 2412/2014 titled Zahida Parveen vs State and Ors claiming that their candidature be considered for the post of Teacher in District Cadre Baramulla under OM Category against notification No. 06 of 2013 (item No. 401) in view of their higher merit; and

**Whereas,** the above writ petitions were clubbed by the Hon'ble High Court and vide order dated: 05/10/2015 disposed off with the following directions:-

**" --- these writ petitions are disposed off in the following manner:-  
the petitioners are deemed to have been selected for being appointed on the post of teacher as against notification No. 06/2013 dated: 05/10/2013. The Respondent Service Selection Board is directed to make recommendations in favour of the petitioner within one week from the date copy of this order is served.**

**It is further provided that in case Respondent Board does not submit recommendations in respect of petitioners in both the petitions to the Competent Authority within one week from the date of this order is served, then Competent Authority to the Government will be under obligation to issue the Appointment Orders in favour of the petitioners and also the private respondents.";** and

**Whereas,** in compliance to the Hon'ble Court Orders, JKSSB vide order No. 1167-SSB of 2016 dated: 08/06/2016 recommended the names of the petitioners viz. Tanveer Rasool Teli and Zahida Parveen for appointment, however, against SWP No.2406/2014 titled Tanveer Rasool Teli vs State and Ors no post was kept reserved under OM or OSC Category against the notification No. 06 of 2013 (item No. 401), as there was no such direction from the Hon'ble Court; and

**Whereas,** in the meanwhile in compliance to another Hon'ble High Court Order dated: 01/05/2015 passed in writ petition No. SWP No. 95/2015 titled Gh. Hassan Ganaie vs State and Ors three more candidates were considered for appointment as Teacher in District Cadre Baramulla against item No. 401 (06 of 2013) vide Order No. 893-DSEK of 2016 dated: 26/05/2016, resulting in the exclusion of tail ended candidates viz. Bilkees Khanam and Manzoor Ahmad Bhat figuring at S.No 230 and 231 respectively under OM category from selection zone to waiting zone at S.No. 1 and 2 respectively against item No. 401 (06 of 2013); and

**Whereas,** the Director School Education Kashmir had no competence to appoint a candidate over and above to the sanctioned post, as such while effecting the appointment of Tanveer Rasool Teli in pursuance to Govt. Order No. 149-Edu of 2020 dated: 30/06/2020, this office had no option but to notify the cancellation of the appointment of the last selected candidate viz. Khalid Hamid Wani, figuring at S.No. 229 against item No. 401 of Notification No. 06 of 2013 vide this office Order No. 570-DSEK of 2021 dated: 27/08/2021; and

**Whereas,** Khalid Hamid Wani, who was already appointed as Teacher in District Cadre Baramulla vide this office Order No. 893-DSEK of 2016 dated 26/05/2016 against item No. 401 of Notification No. 06 of 2013, challenged the Order issued by this Directorate vide No.570-DSEK of 2021 dated: 27/08/2021 before the Hon'ble CAT by virtue of O.A No. 1349/2021 which was listed on 30/11/2021 and the Hon'ble CAT was pleased to pass the direction that the respondents while appointing Tanveer Rasool Teli, the applicant would provisionally continue on his post; and

**Whereas,** to avoid any further adverse orders from the Hon'ble High Court, a slot reserved by JKSSB at S.No. 233 against OM Category (item No. 401, Notification No. 06 of 2013) was utilized for the appointment of Mr. Tanveer Rasool Teli, petitioner in terms of this office Order No. 504-DSEK of 2022 dated: 17/10/2022; and

**Whereas,** in response to Robkar bearing No. 22A/2016 in CPSW No. 117/2016 in SWP No. 2412/2014 c/w SWP No. 2406/2014 titled Khalid Hamid Wani Vs Mr. Shaleen Kabra and Ors. a detailed report with full facts of the case was communicated to Administrative Department vide communication No. DSEK/Legal/308/14/576 dated: 23/05/2023, followed by communication No. DSEK/Legal/196-197 dated: 23/02/2024; and

**Whereas,** the Ld Counsel vide communication dated: 19/11/2024 intimated that the Hon'ble Court has framed rule in the Robkar against the answering respondent for non-compliance of the Hon'ble Court order dated 05/10/2015; and

**Whereas,** post receipt of the communication dated: 19/11/2024, Director School Education Kashmir took up the matter with the Administrative Department vide communication No. DSEK/Legal/7593346/1117 dated: 21/11/2024 with full facts of the case and submitted a proposal for **de-freezing two vacancies of General Line Teachers in District Cadre Baramulla** as these two vacancies are being utilized for recouping of supernumerary posts created by virtue of Govt. Order 20-Edu of 2019 dated: 22/01/2019 in order for streamlining of salary of RReTs. or alternatively create two supernumerary posts of GLTs in District Baramulla to comply the directions of the Hon'ble Court dated: 05/10/2015 passed in SWP No. 2412/2014 c/w SWP No. 2406/2014 titled Tanveer Rasool Teli v/s State of J&K & Ors.; and

**Whereas,** in the meanwhile this office vide communication No. DSEK/Legal/304/14/1124 dated: 25/11/2024 sought availability of vacancies of Teachers in the third quarter of the year 2024-25 which are being utilized for recouping of supernumerary posts created by virtue of Govt. Order 20-Edu of 2019 dated: 22/01/2019. In response, the Chief Education Officer Baramulla vide communication No. CEO/Bla/Legal/25929 dated: 25/11/2024 submitted information with regard to the availability of Teacher vacancies as per third quarter of the Year 2024-25; and

**Whereas,** this office vide communication No. DSEK/Legal/7593346/1125-28 dated: 26/11/2024 the position of the vacancies submitted by the Chief Education Officer Baramulla was communicated to the Administrative Department and necessary approval was sought for utilization of two post of General Line Teachers available with CEO Baramulla for implementation of the Judgment/Order dated: 05/10/2015 passed by the Hon'ble High Court; and

**Whereas,** in response, the Administrative Department vide communication No. Edu/LGL0/Kmr/51/2021-01 dated: 28/11/2024 conveyed approval of the Competent Authority to the proposal submitted by this office vide communication No. DSEK/Legal/7593346/1125-28 dated: 26/11/2024 and directed to ensure filing of compliance to the judgment dated: 05/10/2015 in letter and spirit; and

**Whereas,** post-receipt of the approval for utilization of two posts already identified and conveyed, Chief Education Officer Baramulla was directed by this office vide communication No. DSEK/Legal/308/14/1150-52 dated: 28/11/2024 to get the verification of Character and Antecedents of private respondent No. 17 (Bilkees Khanam) and Pvt respondent No. 18 (Manzoor Ahmad Bhat) in terms of Govt. Order No. 528-JK (GAD) of 2021 dated: 21/06/2021; and

**Whereas,** the Chief Education Officer, Baramulla submitted the satisfactory Character and Antecedents report of the Private Respondents as received from CID, J&K under Form No. 119435 dated: 21/12/2024 vide communication No. CEO/Bla/Legal/F-153/479 dated: 04/01/2025 and Form No.119976 dated: 19/01/2025 vide communication No. CEO/Bla/Legal/F-153/1487 dated: 21/01/2025.

Now, therefore, in compliance to the directions of the Hon'ble High Court dated: 05/10/2015 passed in SWP No. 2412/2014 c/w SWP No. 2406/2014 titled Tanveer Rasool Teli v/s State of J&K & Ors. Robkar bearing CPSW No. 99000/2016 C/W CPSW No.117/2016 titled Robkar vs Shaleen Kabra and CCPS No. 441/2021 titled Khalid Hamid Wani vs B.K Singh coupled with the approval of the Administrative Department conveyed vide communication No. Edu/LGL0/Kmr/51/2021-01 dated: 28/11/2024, sanction is hereby accorded to the Provisional Appointment of Private Respondents namely **Bilkees Khanam and Manzoor Ahmad Bhat** whose full particulars are reproduced below, as Teacher in the Pay Level-05 (29200-92300) as admissible in terms of S.O.425 of 2022 dated: 06-09-2022 in District Cadre Baramulla against the slots identified by Chief Education Officer Baramulla vide communication No. CEO/Bla/Legal/25929 dated 25/11/2024, against item No. 401 of Notification No. 06 of 2013:-

| S.No | Candidate Name     | Father/Husband | Permanent Address                            | Date of Birth | Cat | 10+2 |     | Graduation |      | B.Ed |      | Post Graduation |      | Grade Points | Name of University/Institute    |
|------|--------------------|----------------|--|---------------|-----|------|-----|------------|------|------|------|-----------------|------|--------------|---------------------------------|
|      |                    |                |  |               |     | MO   | MM  | MO         | MM   | MO   | MM   | MO              | MM   |              |                                 |
| 1    | Bilkees Khanam     | Rashid Khan    | Salamabad Dachina Boniyar, Baramulla, 193122 | 15/12/1989    | OM  | 328  | 600 | 1139       | 1800 | -    | -    | 1810            | 2400 | 62.9625      | Grad from KU and PG from BGSBSU |
| 2    | Manzoor Ahmad Bhat | Ab Ahad Bhat   | Court Road Badam Bagh, Sopore, 193201        | 27/04/1976    | OM  | 254  | 600 | 747        | 1800 | 524  | 1000 | 284             | 640  | 62.9457      | Grad, B.Ed and PG from KU       |

The appointee(s) shall report to the Chief Education Officer, **Baramulla** within a period of 21 days from the date of issuance of this Order for further posting and in case any of the candidate(s) fail to join within stipulated time period, the Order issued in his/her favour shall be deemed to have been **cancelled ab-initio** without any further notice.

**However, the Provisional Appointment of the candidate as Teacher shall also be subject to the following Terms and Conditions:-**

1. In case, at any stage, it emerges that the certificates/any relevant document furnished/produced by the appointee is/are fake/fictitious, the appointment order shall be cancelled ab-initio and criminal proceedings shall be initiated against the candidate.
2. The appointee at the time of joining shall produce following testimonials in Original to be verified subsequently by the concerned CEO/DDO from respective Issuing Authorities.
  - a. Domicile Certificate issued by the competent authority.
  - b. Matriculation/ Date of Birth Certificate.
  - c. Academic/ Qualification Certificate(s).
  - d. Health certificate from the concerned Chief Medical Officer of the District.
  - e. Certificates from the District Industries Centre (DIC) and District Employment & Counselling Centre to the effect that no loan under any Self-Employment scheme has been availed by the appointee.
  - f. Valid relevant Category Certificate, if any applicable.
3. Each appointee shall furnish an Undertaking in the shape of affidavit duly sworn before 1<sup>st</sup> Class Judicial Magistrate to the extent that the documents furnished by the candidate are genuine and shall be liable for termination of services/ criminal proceedings, in case any of the document(s) at any time is/are found fake/forged.
4. The Salary of the appointee(s) shall not be drawn and disbursed to them unless the genuineness of all documents (as indicated at 02 above) are received from the concerned Issuing Authorities.
5. The appointment of the candidates shall be governed under New Pension Scheme as per SRO-400 of 2009 dated: 24-12-2009.
6. The appointee shall be on probation for a period of 02 (two) years.
7. The appointment shall be subject to the final outcome of the cases/writ petition, if any, pending before any Competent Hon'ble Court of law which may not be immediately within the knowledge of this Directorate.

**Sd/-**

**Director**

School Education Kashmir

**Dated: 10/02/2025**

**No: Estt-III/B-Trs/SSB/Sel/025/0204-09**

**Copy to:**

1. Financial Commissioner/(ACS), School Education Deptt., Civil Secretariat J&K for information.
2. Commissioner Secretary to Government, General Administration Department Civil Secretariat J&K for information.
3. Secretary, J&K Services Selection Board, J&K, Jammu/Srinagar for information.
4. Chief Education Officer, **Baramulla** for information and necessary action. He is directed to implement the Order after observing all the conditions as laid down here above and the discrepancy (ies) if any, observed in the particulars in respect of any of the candidate(s) shall be brought immediately into the notice of this Directorate and the Order in respect of such candidates(s) shall not be implemented till clarification is issued by this office.
5. Concerned for information.
6. I/c IT Section for uploading of the Appointment Order on the official website of this Directorate.
7. Order file /Stock file.

**Personnel Officer**

Directorate of School Education  
Kashmir